

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONERIN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Ronald Howard Ewell ^{2021-00:}
₋₉₈₅

Full Name of Plaintiff

Inmate Number

Civil No. 3:22cv1839

(to be filled in by the Clerk's Office)

v.

Corey J. Kolcharno

Name of Defendant 1

☒ Demand for Jury Trial☐ No Jury Trial Demand

Name of Defendant 2

Name of Defendant 3

Name of Defendant 4

Name of Defendant 5

(Print the names of all defendants. If the names of all defendants do not fit in this space, you may attach additional pages. Do not include addresses in this section).

FILED
SCRANTON

NOV 17 2022

Per AMW
DEPUTY CLERK

I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

___ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)

___ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)

___ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

Ewell, Ronald H
Name (Last, First, MI)
2021-00985
Inmate Number
Lackawanna County Prison
Place of Confinement
1317 N. Washington Ave
Address
Scranton, PA 18509
City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1: Kolcharno, Corey
Name (Last, First)
Defence Attorney
Current Job Title
418 Main Street, Suite 206 B
Current Work Address
Beckville, PA 18452
City, County, State, Zip Code

Defendant 2:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

Defendant 3:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

Defendant 4:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

Defendant 5:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

In Lackawanna County prison with a Court Appointed defense Attorney by the name of Corey J. Kolcharno it started on May 27, 22

B. On what date did the events giving rise to your claim(s) occur?

May 27, 2022; June 16, 2022, July 20, 2022

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?)

When I started receiving Documents from him about the Cases, I sent him a letter dated 6-7-22 informing him that is not my Signature nor is that my letter dated 10-17-21. And I didn't sign any of those documents then. I get a motion to Continue my Cases in a Trial I requested him to do I never ask him, by and through my Attorney, I wrote him a letter dated July 11, 2022. He responded with a letter dated July 20, 2022 I could not believe what he was writing me all we talked about it was all ~~else~~ different in this letter I received before I had a chance to respond to his letter he gets arrest four Sex Charges.

IV. LEGAL CLAIM(S)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

As my Attorney he left me mentally Scared I have mental problems already because of what he did and didn't do with my Cases. Brought me to become angry in more Stressed, mood disorders and my PTSD, as well as my depression. I do not trust ~~any~~ any one that works in the Judicial ~~the~~ feel. I also have a Complaint on him File NO. C3-22-791 Office of Disciplinary Counsel.

Constitutional rights 14, 12, and 10. do to my mental Disability he ~~took~~ advantage of me because he toyed with the Cases.

V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

Mental health problems mood swings, PTSD, Stress, depression, Sleep disorder, mood disorders and traumatic Stress

VI. RELIEF

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

I would like the Courts to order him to go See a Sex Therapist, money damages.

VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.

Ronald H. Ewell

Signature of Plaintiff

11/1/2022

Date

10/31/2022

(P.1)

Complaint on Attorney
Corey J. Kolcharno

To: Whom ever it may ConCern,

Exhibit-A

I am enclosing documents Sent to me by Attorney Corey J. Kolcharno, He got from the PAC File Clerk of Courts System asking me if that my Signature on these three documents, The letter dated May 27, 2022, RE: Case update I Sent him a letter dated June 7, 2022, as the answer to his questions.

Exhibit-B

I received a letter from him dated June 16, 2022, a Copy of the motions he put in to Continus both Cases in a Trial. I never requested him to do for Case 2021-CR-0920 and 2021-CR-2109, in Sent him a letter dated July 11, 2022, in regards to why he put in motions to Continue my Cases in a Trial, we never talked about going forward in Trial. I became up Set with his Actions as my Attorney.

Exhibit-C

now he writes me again the letter dated July 20, 2022, RE: Case update, in regards to both Cases this letter he writes how he had to File motions on my behalf for a Attabe a Co-rpus hearing for Case Drug Delivery resulting
Continue

10/31/2020

(P.2)

Exhibit-C

Death he also informed me he had a chance to speak with C.J. Rotteveel the Attorney & had removed off Case 2021-CR-0920 (DDRB) and have a lawsuit on so why would he speak to him about anything about my Case.

In all the letters I wrote him I never said anything about a Third Degree Indecent Assault. My Complaints was I let Joseph Kalnowski waive my preliminary for a deal two charges withdrew off of Case for a Third Degree Assault. Before I had a chance to write him about why is he still trying to convince me he's right he gets arrested four sex charges of his own. He never did anything for me in the 8 months he was on these Cases but lie to me Ineffective Counsel

CC?

RONALD H, Ewell

Ronald H, Ewell

Sincerely

RONALD H, Ewell

Law Offices of Corey J. Kolcharno

1418 Main Street
Suite 206 B
Peckville, Pennsylvania 18452
Telephone (570) 383-1000
Email: corey@kolcharnolaw.com

May 27, 2022

Confidential-Privilege
Attorney-Client Correspondence

Ronald Ewell
% Lackawanna County Prison
1371 N. Washington Ave.
Scranton, PA 18509

RE: Case Update

Dear Ronald,

I am enclosing documents I retrieved from the PAC File Clerk of Courts System as it relates to your 21-CR-920 (DDRD) case. I direct your attention to the first three (3) documents: 1. "waiver of preliminary hearing" form; 2. "Waiver of arraignment" form; 3. "Notice of pre-trial conference"; of which all three purport to have been acknowledged and reviewed by you. I wanted to review this documentation before I filed my motions. Most importantly, is that your signature on these three (3) referenced documents? Kindly write to me ASAP and provide me with an update.
Thank you and stay well.

Very truly yours,

Corey J Kolcharno, Esq

Corey J. Kolcharno, Esquire

6/7/2022

Case Docket # 21CR 920

TO WHOM EVER IT MAY CONCERN,

THE letters dated 10/16/2021 and 10/24/2021 have my signatures, the letter dated 10/17/2021, I didn't put my signature on that letter nor did I type.

also the documents 1. waiver of preliminary hearing form; 2. "Waiver of arraignment" form; 3. "Notice of pre-trial Conference" is not my signature nor did I sign or gave anybody consent or permission to waive it for me.

Very truly yours,
R. H. Ewell

Apr. 9, 2020 9:50AM

No. 5840 P. 6/6

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LACKAWANNAWAIVER OF PRELIMINARY
HEARING

Mag. Dist. No: MDJ-45-0-00
 MDJ Name: Honorable Lackawanna County Central Court
 Address: MDJ 45-0-00
 Lackawanna County Courthouse
 200 North Westington Avenue
 Scranton, PA 18503
 Telephone: 570-963-6436

COMM. OF PA

Ronald Ewell

Docket No:

Case Filed:

OTN:

I, the undersigned, certify that I waive my right to a preliminary hearing. I understand that I have a right to this hearing, at which time I have the right to:

1. be represented by counsel,
2. cross-examine witnesses,
3. inspect physical evidence offered against me,
4. call witnesses on my own behalf, offer evidence on my own behalf, and testify,
5. make written notes of the proceedings or have my own counsel do so, and make a stenographic, mechanical, or electronic record of the proceedings.

I understand that if a prima facie case of guilt is not established against me at this hearing, the charges against me would be dismissed.

I understand that when I am represented by counsel and I waive the right to preliminary hearing, I am thereafter precluded from raising challenges to the sufficiency of the prima facie case.

I understand that if the case is held for court and if I fail to appear without cause at any proceeding for which my presence is required, including trial, my absence may be deemed a waiver of my right to be present, and the proceeding, including the trial may be conducted in my absence.

☐ I have had a preliminary arraignment during which I was advised of my right to have a preliminary hearing and of my right to counsel.

☐ I have received a summons wherein I was advised of my right to have a preliminary hearing and of my right to counsel.

I knowingly, voluntarily, and intelligently make this waiver of my preliminary hearing.

Signed this _____ day of _____

Attorney for Defendant (if any)

C. J. Rottevel

(Defendant)

(Attorney)

I HAVE DETERMINED THAT THE DEFENDANT HAS MADE A KNOWING, VOLUNTARY, AND INTELLIGENT WAIVER OF HIS RIGHT TO A PRELIMINARY HEARING.

5/20/21
Date

Magisterial District Judge



May. 5. 2020 9:24AM

No. 6192 P. 1

MAURIB. KELLY
 COMMONWEALTH OF PENNSYLVANIA DISTRICT COURT OF COMMON PLEAS
 OF LACKAWANNA COUNTY
 v. 2021 JUN -8 :A 9:35 CRIMINAL DIVISION
 Ronald Ewell
 CLERK OF JUDICIAL RECORDS
 21 CR 920

PRAECIPE TO ENTER APPEARANCE

Clerk of Judicial Records:

Please enter my appearance for the above named Defendant.

Attorney for Defendant (Signature)

C.J. Rotteveel

Attorney for Defendant (Type/Print)

WAIVER OF ARRAIGNMENT

→ X Ronald Ewell hereby acknowledge that I have received a copy of the Information containing criminal charges against me.

I hereby enter a plea of NOT GUILTY and I waive my right to be formally arraigned in open Court.

I have consulted with my attorney and I am aware of my right to file:

(1) A "Request for Bill of Particulars" within seven (7) days of the date of my arraignment pursuant to PA Rule of Criminal Procedure 572.

(2) A "Motion for Pre-Trial Discovery and Inspection" within fourteen (14) days following the date of my arraignment pursuant to PA Rule of Criminal Procedure 573.

(3) Various other Pre-Trial Motions which must be stated in a single document entitled "Omnibus Pre-Trial Motion" which must be filed and served within thirty (30) days of the date of my arraignment pursuant to PA Rules of Criminal Procedure 578 and 579.

My attorney and I understand that the time for the filing of the above Motions is mandatory except where unusual circumstances exist or the time has been extended by the Court.

My attorney and I are aware that if I do not file the above Motions in accord with the Rules of Criminal Procedure as outlined above, I may jeopardize my right to file them at a later date.

C.J. Rotteveel
 Attorney for Defendant

→ X Ronald Ewell
 Defendant

Dated: 5.20.21

COURT ACTION

The above Waiver of Arraignment and plea of NOT GUILTY are hereby accepted.

W. J. [Signature]

MAURI B. KELLY
LACKAWANNA COUNTY

NOTICE OF PRE-TRIAL CONFERENCE
AVISO DE CONFERENCIA ANTERIOR AL JUICIO
RECORDS CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LACKAWANNA
REPUBLICA de PENNSYLVANIA
CONDADO de LACKAWANNA

21 CR 920

COURT OF COMMON PLEAS
CRIMINAL DIVISION
TRIBUNAL de SUPlicas COMunes
DIVISION CRIMINAL

VS // CONTRA

TO: Ronald Ewell
PARA:

OTN#

DATE: FECHA: 5 / 20 / 2021
month-mes / day-dia / year-año

YOU ARE TO APPEAR WITH YOUR LAWYER
AT THE LACKAWANNA COUNTY
COURTHOUSE LOCATED AT 204 N.
WASHINGTON AVENUE, SCRANTON, PA.

USTED TIENE QUE PRESENTARSE CON SU ABOGADO
EN EL PISO 2 del TRIBUNAL del CONDADO de LACKAWANNA
LOCADO EN EL 204 N. WASHINGTON, SCRANTON, PA.

ON THE: EN EL 6 / 11 / 21
month-mes / day-dia / year-año

AT: LAS 0900 AM O'CLOCK
de la MAÑANA / de la TARDE

BRING THIS NOTICE WITH YOU AND REPORT FIFTEEN
(15) MINUTES BEFORE YOUR SCHEDULED HEARING
REPORT

COURTROOM: #5

TRAIGA ESTE AVISO CON USTED Y REPORTESE QUINCE (15)
MINUTOS ANTES DE SU VISTA PLANIFICADA EN EL TRIBUNAL.

PRESENTE AL JUICIO #

DEFENDANT'S ADDRESS / DIRECCION DEL ACUSADO

D.O.B. / FECHA DE NACIMIENTO

month-mes / day-dia / year-año

SOC. SEC. #
de SEGURO SOCIAL

**** NOTE: IF YOU HAVE NOT FLED OR HAVE NOT BEEN ACCEPTED INTO THE AED PROGRAM
YOU MUST APPEAR FOR THE PRE-TRIAL CONFERENCE HEARING. ****

***** THIS WILL BE YOUR ONLY NOTICE *****

**** AVISO: SI USTED NO HA FUGADO O NO HA SIDO ACEPTADO EN EL PROGRAMA DE AED
USTED TIENE QUE APARECER PARA LA VISTA DE LA CONFERENCIA ANTERIOR AL JUICIO. ****

***** ESTE SERA SU UNICA AVISO *****

**TO THE DEFENDANT - IF YOU FAIL TO APPEAR AT THE PRE-TRIAL CONFERENCE A
WARRANT WILL BE ISSUED FOR YOUR ARREST. THIS IS A MANDATORY COURT APPEARANCE.**

**AL ACUSADO - SI USTED FALLA DE APARECER A LA VISTA DE LA CONFERENCIA ANTERIOR AL JUICIO
UNA ORDEN SERA AUTORIZADA PARA SU ARRESTO. ESTA ES UNA APARIENCIA OBLIGATORIA DEL TRIBUNAL.**

I ACKNOWLEDGE RECEIPT OF THE NOTICE / ASESO RECIBO DE ESTE AVISO

DATE ISSUED / FECHA PUBLICADA

DEFENDANT / EL ACUSADO Ronald Ewell

month-mes / day-dia / year-año

DISTRICT ATTORNEY / FISCAL DEL DISTRITO CJ Rottervec

(signature) PVT JD

DEFENSE ATTORNEY / ABOGADO de DEFENSA

/s/ Drew KrowiakDDA

Affidavit of RightsTITLE, JURISDICTION & ADDRESS
OF ISSUING AUTHORITYIDENTIFICATION
OF AFFIANT
WHO SIGNED
COMPLAINT

COMPLAINT No.

20

COMPLAINT NUMBERS OF OTHER PARTICIPANTS

COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT

DO NOT REMOVE FROM FILE
ORIGINAL*Rod Hood Esq***AFFIDAVIT OF RIGHTS**

I, the above named Defendant, acknowledge that I have been informed of my right to bail, of the nature of the bail, how I may secure bail and, if I so desire, to select a bail bondsman of my choice, providing the bondsman is licensed in herein county, and have been given the opportunity to secure bail; I have been told of my right to have my own lawyer, or how to apply to the Court for a lawyer if I cannot afford to have my own lawyer; I have been told of my right to remain silent and that anything I may say can and will be held against me in Court; I have been told of my right to a Preliminary Hearing if I desire to have one.

ATTORNEY FOR THE DEFENDANT

DEFENDANT

DATE

IF, AFTER READING THE ABOVE AFFIDAVIT OF RIGHTS TO THE DEFENDANT, THE DEFENDANT ELECTS NOT TO SIGN THIS AFFIDAVIT OF RIGHTS, THE ISSUING AUTHORITY SHALL SIGN AND DATE THIS AFFIDAVIT AS TESTIMONY THE AFFIDAVIT WAS READ AND EXPLAINED TO THE DEFENDANT.

SIGNATURE OF ISSUING AUTHORITY

DATE

Date 10/24/2021

To: Clerk of court
200 N.Washington Ave
Scranton, PA 18503

From: Ronald Ewell
1371 N.Washington Ave
Scranton, PA 18509

Dear, Attorney

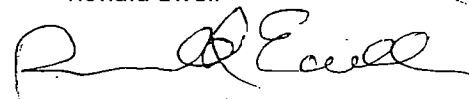
I'm writing you in regards to our last meeting that took place at the Lackawanna County Prison on 10/22/2021, you never gave me a clear answer on how long it will take to get me a preliminary hearing that I'm requesting. Hopefully you'll have an answer for me at your earliest convenience.

In addition, I also would like to know what's your next move in getting the death by delivery dismissed. As you mention in our meeting in your office that, there's **No substantial evidence** that shows I assisted in the victim's overdose that resulted in his death. This is a very serious matter and I hope that you take care of this as soon as possible.

I would like to thank you for your time and effort in this matter and I look forward to hearing from you at your earliest convenience.

Sincerely

Ronald Ewell

A handwritten signature in black ink, appearing to read 'R. Ewell', written over a horizontal line.

CC: Clerk of Court
Attorney

Jice 920

Date: 10/17/2021

TO: CLERK OF COURT

Attn JUDGE
200 N. Washington Ave
Scranton, PA 18503

FROM: RONALD EWELL

LACKAWANNA COUNTY PRISON
1371 N. Washington Ave
Scranton, PA 18509

RE: LEGAL DOCUMENTS

Dear, Your Honor

I'm writing you in regards to some very important issues that I'm having in my legal matter. My first issue is that I haven't been given a preliminary hearing on my new charges (**Death by delivery**). I never waived my hearing or did I give anyone permission or consent to waive it for me. With that being said, I would like to have my preliminary hearing on this matter schedule at a reasonable time.

In addition, I've requested to get copies of my legal documents (**Discovery, Criminal complaint,ETC**) from my attorney and still to this current date (10/17/2021) I have not been provided with any of my legal work. I'm currently being held at LC.P awaiting a preliminary hearing and also, preparing to go to trial on this matter. By not getting me my legal documents in a reasonable time is impeding my ability to prepare for my defense. Its also the obligation of my attorney to provide me with everything I need to prepare for my case and, for some strange reason it hasn't happen. Your honor, I would like you to step in and have my attorney provide me with my request (**forward all legal documents**).

I would like to thank you for your time and effort in this matter and I look forward to these issues being resolved.

Sincerey

RONALD EWELL



Date 10/16/2021

TO: HONORABLE JUDGE
200 N. Washington ave
Scranton, Pa 18503

FROM: RONALD EWELL
Lackawanna County Prison
1371 N. Washington Ave.
Scranton, Pa 18509

RE: LEGAL DOCUMENTS

Dear, YOUR HONOR

I'm writing you in regards to some very important issues that I'm currently having in my legal matter. The first issue is that I haven't been given a pliminary hearing on my new charges (Death by Delivery). I never waived my heraing or did I give anyone permission or consent to waive it for me. With that being said, I would like to have my pliminary hearing in this matter schudule at a resonable time.

In addition, I've requested to copies of my legal documents (**Discovery, Criminal Compliant, ETC**) from my attorney and still to this current date (**October 16, 2021**) I have not been provided with any of my legal documents. I'm currently being held at L.C.P awaiting a pliminary hearing as I requested and a speedy trail date. Please take into consideration that by not recieving these documents is impeding my ability to prepare for my defense. It's also, my attorney obligation to provide me with everything I need during this legal matter to prepare for my defense in this case, and for some strange reason it hasn't happen. Your Honor, I would like you to step in and have my attorney provide me with my request. (**forward all leagl documents**)

I would like to thank you for time and effort in this matter, and I look forward to this issue(s) being resolved.

SINCERLY

RONALD EWELL

A handwritten signature in black ink, appearing to read 'R. Ewell', with a stylized, cursive flourish at the end.

Law Offices of
Corey J. Kolcharno

1418 Main Street, Suite 206B
Peckville, Pennsylvania 18452
Telephone 570-383-1000

Email: corey@kolcharnolaw.com

June 16, 2022

Confidential-Privilege
Attorney-Client Correspondence

Ronald Ewell
c/o Lackawanna County Prison
1371 N. Washington Avenue
Scranton, PA 18509

Re: Commonwealth v. Ronald Ewell
2021-CR-920 and 2021-CR-2109

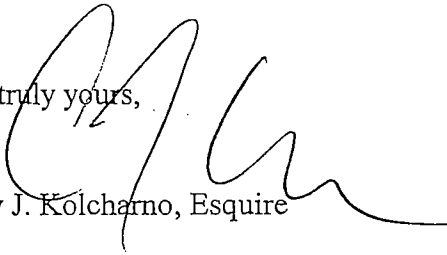
Ronald,

Please find enclosed a copy of the Motion to Continue Trial in regard to the above matters, the original of which has been filed with the Court.

Any questions, please call.

Thank you.

Very truly yours,


Corey J. Kolcharno, Esquire

CJK/mqs
Enclosures

COREY J. KOLCHARNO, ESQUIRE
Attorney for Movant/Defendant
Attorney I.D. No. 87087
1418 Main Street, Suite 206B
Telephone: (570) 383-1000

COMMONWEALTH OF	:	IN THE COURT OF COMMON PLEAS
PENNSYLVANIA	:	OF LACKAWANNA COUNTY

V.	:	CRIMINAL
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RONALD EWELL,	:	2021-CR-920
DEFENDANT	:	2021-CR-2109

CERTIFICATE OF SERVICE

I, COREY J. KOLCHARNO, ESQUIRE, hereby certify that I am this day serving the foregoing Motion to Continue Trial upon the following on the 13th day of June, 2022, via:

PACFILE and EMAIL:

- 1) Honor Honorable Judge Vito P. Geroulo
- 2) Assistant District Attorney Drew Krowiak
Assistant District Attorney Christina Farrell

Corey J. Kolcharno

COREY J. KOLCHARNO, ESQUIRE
Attorney for Movant/Defendant
Attorney I.D. No. 87087
1418 Main Street, Suite 206B
Peckville, PA 18452
Telephone: (570) 383-1000

COREY J. KOLCHARNO, ESQUIRE
Attorney for Movant/Defendant
Attorney I.D. No. 87087
1418 Main Street, Suite 206B
Telephone: (570) 383-1000

COMMONWEALTH OF	:	IN THE COURT OF COMMON PLEAS
PENNSYLVANIA	:	OF LACKAWANNA COUNTY
	:	
	:	
V.	:	CRIMINAL
	:	
RONALD EWELL,	:	2021-CR-920
DEFENDANT	:	2021-CR-2109

MOTION TO CONTINUE TRIAL

NOW COMES, the Movant/Defendant, Ronald Ewell, by and through his attorney, Corey J. Kolcharno, Esquire, and files this Motion to Continue Trial and respectfully avers as follows:

1. Trial has been set by this Honorable Court for July 5, 2022, at 9:00 a.m. in regard to the above-captioned case.

2. Undersigned counsel is still in the process of reviewing the voluminous discovery in connection with each of the above-referenced cases and will not be ready to proceed to trial on July 5, 2022 (or in the alternative July 11, 2022).

3. Undersigned counsel, per the request of Defendant, is simultaneously filing a Motion to address certain legal matters before trial in each of the above-captioned cases could take place.

4. The allegations in each of the above-referenced cases are both serious in nature and warrant additional time for preparation and investigation on behalf of the Defendant.

5. Accordingly, the Defendant respectfully requests this Honorable Court to continue the trial in each of the above-captioned cases to the September 2022 Trial Term.

6. All time for purposes of Pennsylvania Rule of Criminal Procedure Rule 600 et. al. shall run against the Defendant in each of the above-captioned cases.

7. The Defendant, through undersigned counsel, believes and avers in good faith that if forced to go to trial during the July 2022 Trial Term, he could be highly prejudiced.

? 8. As such, the Defendant respectfully requests this Honorable Court to continue trial in each of the above-captioned cases to the September 2022 Trial Term. ?

WHEREFORE, the Movant/Defendant respectfully requests this Honorable Court to grant his Motion to Continue Trial and continue these matters to the September 2022 Trial Term.

Respectfully submitted,

Corey J. Kolcharno

COREY J. KOLCHARNO, ESQUIRE
Attorney for Movant/Defendant
Attorney I.D. No. 87087
1418 Main Street, Suite 206B
Peckville, PA 18452
Telephone: (570) 383-1000

COREY J. KOLCHARNO, ESQUIRE
Attorney for Movant/Defendant
Attorney I.D. No. 87087
1418 Main Street, Suite 206B
Telephone: (570) 383-1000

COMMONWEALTH OF : IN THE COURT OF COMMON PLEAS
PENNSYLVANIA : OF LACKAWANNA COUNTY

V. : CRIMINAL

RONALD EWELL, : 2021-CR-920
DEFENDANT : 2021-CR-2109

ORDER

AND NOW this _____ day of _____, upon thoughtful
consideration of the attached Motion for Continuance, it is hereby

ORDERED and **DECREED** that the Motion is **GRANTED** and the above-captioned matter is continued from the July 5, 2022 Trial Term, to the _____ day of _____, 2022, at _____m. before the Honorable Judge Vito Geroulo.

BY THE COURT:

J.

CERTIFICATE OF COMPLIANCE WITH P.A.R.A.P. 127

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Corey J. Kolcharno

COREY J. KOLCHARNO, ESQUIRE
Attorney for Movant/Defendant
Attorney I.D. No. 87087
1418 Main Street, Suite 206B
Peckville, PA 18452
Telephone: (570) 383-1000

July 11, 2022

2021-CR-0920

2021-CR-2109

TO: Corey J. Kolcharno

When you came to Lackawanna County Prison to visit me we talked about my preliminary hearing. I didn't have in Case 21-CR-0920, All of the Constitutionally protected rights and interests was not explained to me, for me to waive or give my Attorney at that time Consent to waive it for me. So why would you put in to Court, I requested you as my Attorney to put in motion to Continue this Case in a trial. Also documents you sent me what you retrieved from PAC File Clerk of Courts System related to Case 21-CR-920 those three documents I didn't sign nor is that my signature on those documents. The letter dated 10.16.2021, I typed requesting a speedy trial, the letter dated 10.17.21, I didn't type nor did I sign that letter states I need to prepare for my trial.

Also my Complaint for Case 2021-CR-2109 is Joseph P. Kalinowski got me a deal to let him waive my preliminary Corruption of minors and indec assault - w/o Cons of Other withdrawal only Charge (asslt m3). C.J. Rotteveel came to Lackawanna prison on Dec 14, 2021 he ask me how is the other Case going I told him what Attorney Joseph did for me, he said no way only a (m3) I'm going to talk to a judge or a district Attorney to make sure you have a (m2) Sexual Charge on your record. So why would I request for you to put in motion to Continue this Case.

yours truly
H. S. Wall

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July 20, 2022

Personal and Confidential
Attorney – Client Correspondence

Ronald Ewell, Inmate
c/o Lackawanna County Prison
1371 N. Washington Avenue
Scranton, PA 18509

Re: Commonwealth v. Ronald Ewell
2021-CR-0920 and 2021-CR-2109
Case Update

Dear Ronald:

I hope this letter finds you well in the best of spirits despite the circumstances. I wanted to give you an update about your above-referenced cases. With regard to your case docketed to 2021-CR-0920 (Drug Delivery Resulting in Death Allegations), I had filed motions on your behalf seeking to have the Court conduct a Habeas Corpus Hearing, which is the equivalent of a Preliminary Hearing. In the motion that I had previously sent to you, I argued that you did not knowingly, intelligently and voluntarily waive your Preliminary Hearing in connection with that case. I did a thorough investigation of all documents surrounding that matter and everything seemed to show that you did, **in fact**, voluntarily waive your hearing in that case. That is why I sent you those documents because I needed to know if you signed them or if you were aware of what you were signing.

I was even able to speak to Attorney C.J. Rotteveel but there was no indication other than you waiving your Preliminary Hearing.

Upon further exploration, after presenting my motion to the Court and thoroughly discussing this matter with the Deputy District Attorney handling your case, Drew Krowiak, it was learned that he agreed to allow you to have a Habeas Corpus Hearing after your Preliminary Hearing in the event you elected to do so. What that basically means is that despite the fact you may have signed these forms, you are still entitled to have a Habeas Corpus (Preliminary Hearing) before Judge Geroulo.

Therefore, the District Attorney has agreed with my position that you are entitled to a Habeas Corpus Hearing, meaning, we will be exploring the evidence through testimony. The Judge granted my motion and I

am awaiting a hearing date at this point in time from the Court. As soon as I know, I will immediately come to the prison to visit you. So you will be having a hearing to challenge the probable cause with regard to the case filed to 2021-CR-0920, which is the allegation of Drug Delivery Resulting in Death.

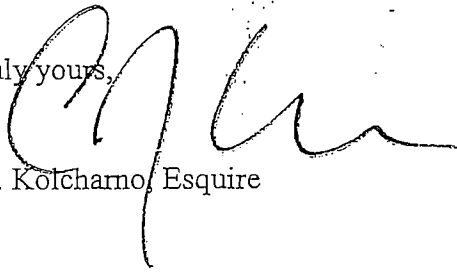
With regard to the case docketed to 2021-CR-2109, in the State of Pennsylvania, there is no charge of Indecent Assault graded as Misdemeanor of the Third Degree. Indecent Assault is graded as a Misdemeanor the Second Degree. At this point in time, I would strongly advise you to hold off from mentioning this matter any further to anyone else other than me. Your more serious charges obviously stem from your 2021-CR-0920 case. That is my primary focus at this point in time. Your other case may be irrelevant depending on the outcome of your more serious charges.

Lastly, the reason I put in a continuance was due to the fact that the Court did grant my motion to have a Habeas Corpus Hearing which must be conducted prior to the time of any scheduled trial. It would be like putting the cart before the horse. You cannot do it in the legal system. We must attack the probable cause first before we even get to trial. I hope this explanation clarifies things a lit bit for you.

As always, I hope you are doing well and if you have any information, questions, concerns or anything you would like to provide to me, please do not hesitate to write to me at the address above.

Thank you and I will be in communication with you in the immediate future.

Very truly yours,



Corey J. Kolchano, Esquire

CJK/mqs

Ronald H. Ewell
1371 N. Washington Ave
Scranton, PA 18509

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Middle District of Pennsylvania
235 N. Washington, Ave
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